

KLKN
Lincoln, NE
Political Policy Guidelines and
Disclosure Statement
2022

KLKN (the “Station”) sells advertising time to candidates for elective office in conformance with Federal Law and the rules and policies of the Federal Communications Commission. In order to assist our political advertisers in making informed decisions about the purchase of advertising time on the Station, we have developed the following policies and practices:

1. **Applicability.** These policies apply to purchases of advertising time for “use” by legally qualified political candidates. A political advertisement or program involves a “use” if it includes the recognizable voice or image of the candidate. Candidates may be asked to demonstrate that they are legally qualified. All federal candidates must comply with the requirements of the Bipartisan Campaign Reform Act of 2002.

2. **Identification.** The Station expects all federal candidates to comply with the requirements of the Bipartisan Campaign Reform Act of 2002. These requirements include sponsorship identification requirements. It is the responsibility of the candidate, and not the Station, to ensure that each candidate ad complies with applicable federal requirements. At a minimum, all political announcements and programs must include a sponsorship identification announcement which fully and accurately identifies the organization or individual which has paid for the commercial, using the terms “paid for by” or “sponsored by” at the beginning or end of the advertisement. Such sponsorship identification must be visual, must last at least four seconds, and must use letters which are all at least 4% vertical picture height. If an announcement or program does not include the required sponsorship identification, the Station will add the necessary information and charge the candidate production charges in accordance with its practices applicable to commercial advertisers. For a federal candidate to receive lowest unit charge, all advertising must contain a printed statement that is displayed with a candidate picture at the end of the advertisement. The printed statement must identify the candidate, state that the candidate and/or the candidate’s authorized committee paid for the broadcast.

3. **Rates and Classes of Time:**

- a. During the 45-day period before a primary election and the 60-day period before a general or special election (the “Pre-Election Window”), the Station will sell spot announcement time to political candidates on the same terms and conditions, including discount and other privileges, as are available to its most favored commercial advertisers. Pursuant to the Bipartisan Campaign Reform Act of 2002, no federal candidate will be offered the Station’s lowest unit charge unless the candidate provides the Station with a certification acceptable to the Station that the candidate (and any authorized committee of the candidate) has not and will not make any direct reference to another candidate for the same office in any broadcast unless the broadcast complies with Section 315(b)(2)(C) of the Communications Act as amended by the Bipartisan Campaign Reform Act of 2002. The certification must be received before any purchase during a Pre-Election Window if the

candidate intends to receive statutory lowest unit charge benefits and should be provided with the first order whenever possible.

- b. Candidates should understand that most rates for advertising are determined on a negotiated basis. The term “class” refers to the rate categories such as fixed-position, preemptible, and run-of-schedule. The term “amount of time” refers to the unit of time purchased, such as 30 seconds, 60 seconds, 5 minutes, or 1 hour. The term “same period” refers to the period of the broadcast day such as news, prime time, daypart rotations, or other sales parameters established by Station.
- c. The Station sells classes of spot announcement time as follows:
 - **P-1-FIXED** – Spots scheduled to air in a particular program at a precise time, break, or day, as specified by the advertiser. These spots may not be preempted in favor of any other advertisement and will air as scheduled excluding circumstances that are unforeseen or otherwise beyond the Station’s control. Circumstances that may require a preemption include, but are not limited to, program changes, technical difficulties, breaking news, human error, or changes required to meet legal obligations such as equal opportunity and federal reasonable access requirements. Because the Station has limited number of commercial avails, even “nonpreemptible” time may be sold out. In this case, the Station will endeavor to locate a comparable area for placement of a candidate’s time. Section P1 can preempt all other section levels.
 - **P-2-Non-Preemptible** – Spots scheduled to air at the Station’s discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots may not be preempted in favor of any other advertisement and will air as scheduled in the absence of unforeseen circumstances, including but not limited to, program changes, technical difficulties, breaking news, and human error, or changes required to meet legal obligations such as equal opportunity and federal reasonable access requirements. Because the Station has a limited number of commercial avails, even "non-preemptible" time may be sold out. In this case, the Station will endeavor to locate a comparable area for placement of a candidate's time. If a spot in this class of time is preempted, the Station will offer the advertiser a make-good, as provided below.
 - **P-3-Preemptible with Notice 1** – Spots scheduled to air at the Station’s discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots may be preempted in favor of other advertisements in a higher class of time upon 3 days (72 hours) notice to the advertiser. If a spot in this class of time is preempted, the Station will offer the advertiser a make-good, as provided below. These spots must be purchased more than 72 hours before they are to air. In general, spots in this class have an

estimated probability of preemption of about 25%; candidates should contact the Station for more up-to-date estimates at the time of purchase.

- **P-4-Preemptible with Notice 2** – Spots scheduled to air at the Station’s discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots may be preempted in favor of other advertisements in a higher class of time upon 24 hours notice to the advertiser. If a spot in this class of time is preempted, the Station will offer the advertiser a make good, as provided below. These spots must be purchased more than 24 hours before they are to air. In general, spots in this class have an estimated probability of preemption of about 50%; candidates should contact the Station for more up-to-date estimates at the time of purchase.
 - **P-5-Immediately Preemptible with No Notice** – Spots scheduled to air at the Station’s discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots may be preempted in favor of other advertisements in a higher class of time, or in the event of unforeseen program changes, technical difficulties, breaking news, human error, or similar circumstances, with no guarantee of advance notice to the advertiser. If a spot in this class of time is preempted, the Station will offer the advertiser a make-good, as provided below. In general, spots in this class have an estimated probability of preemption of about 25%; candidates should contact the Station for more up-to-date estimates at the time of purchase.
 - **Run-of-Schedule.** These spots are cleared and scheduled to fill unsold inventory and are subject to preemption for an advertiser purchasing time in any of the classes described above. No make goods are available for spots purchased in this class; instead, the advertiser will receive a credit if any ordered spots are not aired within the flight dates.
 - **Other Class of Time, Special Programs.** Other classes of time, special program spots (sporting events, annual entertainment events), or packages may be available. Rates for these spots are available upon request.
- d. The basic time periods (programs and rotations) for which the Station sells time are shown on the attached rate card, along with the Station’s current rates being quoted to commercial advertisers at the time. Candidates should note that the Station’s preemptible rates fluctuate on a daily basis, and that the Station’s “lowest unit charge” for preemptible classes in various time periods is determined on a weekly basis in light of spots actually cleared in the week. Rotations other than those shown on the attached rate card are available on request -- please contact the Station for information.

4. Availabilities:

- a. Station will provide written availabilities to candidates in response to time requests. At the time it provides availabilities, it will also provide its good-faith estimates, based on facts known at the time, of (i) the likelihood that time within each requested class will clear in an advertiser's requested time period; (ii) the lowest unit charge for time within each class of time for all requested time periods; and (iii) the Station's then-current selling level for time in all requested time periods.
- b. The Station may also make available other rotations upon request, and may negotiate special advertising packages (combinations of spots in various classes or rotations) tailored to suit the particular needs of individual candidates. The Station may also engage in special promotions and if so, it will make such promotions available to political advertisers upon request. Please note that in calculating the lowest unit charge, the Station will take into account the rates for spots which are part of packages sold to commercial advertisers, and candidates who purchase time for use during the Pre-Election Window do not need to purchase packages in order to gain the advantage of package pricing.
- c. All Station sales of time for use by political candidates are subject to federal equal opportunities and reasonable access requirements.
- d. The Station does not guarantee separation of political advertising either for office or party. However, the Station will make reasonable efforts to provide such separation where possible.
- e. Requests for program time, including lengths of 30 minutes and 60 minutes, will be considered on an individual basis. No promotional announcements (aside from a candidate's separately purchased spot uses) will be scheduled to promote political programs.

5. Orders. Orders for political time will not be considered firm for broadcast clearance until the following requirements have been met:

- a. Completed and signed Agreement Form for Political Candidate Advertisements (NAB Form PB-18 Candidates) is on file.
- b. Net cash-in-advance payment received. Payments must be received by the Station not less than seven (3) days before the first spot in a flight is scheduled to run. Exceptions may be made for candidates or agencies (which accept payment responsibility in writing) with an established credit history consistent with the Station's policy with respect to similarly situated commercial advertisers.
- c. For multi-week flights, the Station will require payment for only one (1) week's flight at a time.

- d. Where the purchase is made by corporation, committee, association or other unincorporated group, a list of the entity's Chief Executive Committee or Board of Directors is on file.
- e. Where doubt exists, satisfactory proof must be provided showing that (i) the candidate is "legally qualified" as that term is defined by the FCC; and/or (ii) the purchaser is authorized to buy time for the candidate.
- f. Advance orders for schedules of political advertising will be subject to reconfirmation 30 days preceding start of schedule.
- g. Delivery of commercials via an Electronic Commercial Delivery system, along with written instructions for their use, should be submitted to the Station as soon as possible to ensure proper airing. Changes to these instructions should be provided to the Station in writing (by letter or fax) prior to the changes being made. Videotapes should be received in sufficient time to permit confirmation of compliance with sponsorship identification requirements and with broadcast technical standards.
- h. Deadlines for all time orders, commercial material, and contract changes are as follows:

Log Day	Deadline
Sunday/Monday	Friday - 3:00 p.m. CDT
Tuesday	Monday - 3:00 p.m. CDT
Wednesday	Tuesday - 3:00 p.m. CDT
Thursday	Wednesday - 3:00 p.m. CDT
Friday/Saturday	Thursday - 3:00 p.m. CDT

- i. Failure by a political adviser to fulfill all requirements in advance of the deadlines may result in preemption of some or all announcements or programs previously cleared.

6. **Rebates, Make Goods & Credits:**

- a. *Estimated Lowest Unit Charge.* The lowest unit charge is the lowest per-spot price paid for the same class and amount of time during the same time period. In calculating the lowest unit charge, the Station will take account of rates for spots which are sold as part of packages. Current estimates of lowest unit charge and chances of preemptibility are attached. Because determination of lowest unit charge cannot be made until after all time has aired in a particular week, and because the rate levels at which time will clear vary with market demand, the Station cannot guarantee its estimates of the lowest unit charge or of the preemptibility of various classes of or rates for time. All such estimates are subject to change in light of current market developments. Candidates should inquire at the time of order as to current estimates of the lowest unit charge and preemptibility.
- b. *Review of Charges.* On a weekly basis, the Station will review purchases of advertising by commercial and political advertisers. If that review indicates that political candidates paid more than the lowest unit charge in the class of time purchased, every

effort will be made to issue a make-good to spend that money within the ordered flight. If the candidate prefers to have that money rebated, every effort will be made to issue rebates (or, at the candidate's option, credits) within one (1) week and, to the extent possible, prior to the election.

7. **Production.** The Station will make production facilities available for political advertisements and programs. Production charges are handled separately from time charges. Contact the Station for information and rates.

8. **Weekend Access.** The Station will permit federal candidates (but not state and local candidates) to place time orders and change or edit copy outside of regular business hours on the weekend before the election. Contact the Station for more information.

9. **Disputes.** The Communications Act of 1934, as amended (the "Act"), establishes certain requirements for the sale of broadcast advertising time for use by or on behalf of political candidates. The Federal Communications Commission ("FCC") has adopted rules and policies to implement those requirements and asserted its exclusive jurisdiction to enforce the Act. Complaints concerning the sale of political advertising by the Station should therefore be filed with the FCC, subject to judicial appeal as provided by the Act. In order to ensure that material necessary to resolution of the disputes is maintained, political advertisers should file complaints with the FCC concerning the Station's political practices and policies promptly. The FCC's resolution of such complaint(s), subject to such judicial review as is provided by the Act, provides the sole and exclusive remedy for such complaints

10. **Other Matters:**

- a. *Online Political Public File.* The Station's political public file is available online at <https://publicfiles.fcc.gov/tv-profile/KLKN>
- b. *Contact Information.* Please contact Kern Dant at (402-436-2235) if you have any questions concerning the political advertising policies or rates of the Station.